

To: Jackson, Dan[Jackson.Dan@epa.gov]; Minter, Douglas[Minter.Douglas@epa.gov]
From: Tiago, Joseph
Sent: Thur 11/14/2013 2:26:34 PM
Subject: RE: can I get an update on these commitments?

I sent the email below separately to Dan but including here again...

Hi Dan,

Sorry for the delay in getting back to you. I am not sure at this point if we are still in the path of the training manual or not, but what I would say, to remain general, is that we are *continuing to work in developing approach for national consistency in evaluating aquifer exemption requests. We are working with the GWPC workgroup to identify potential solutions to the issues, and with the Water Division Directors to obtain general consensus on some of the issues for an interim approach.*

Senior leadership needs to weigh in on what the final vehicle should be; we don't have that yet. This project remain a high priority. Various options have been discussed within the workgroup, up to including revising guidance 34 but the ultimate and final decision is yet to be made.

From: Jackson, Dan
Sent: Wednesday, November 13, 2013 9:45 AM
To: Minter, Douglas
Cc: Tiago, Joseph
Subject: RE: can I get an update on these commitments?

Douglas: Here's a short update I put together last night, at least for something to work from. I copied Joe on this email so he could weigh in with revisions/corrections as needed. -d

COMMITMENT: Contribute towards release of DRAFT Aquifer Exemption Training Manual (HQ & regions), end of FY 2013. *This measure is linked directly to the OGWDW effort to revise the Guidance 34 for aquifer exemptions, which turned into a "Training Manual." We are on the work group looking at the issues and potential revisions for how EPA deals with aquifer exemptions. Currently, things have slowed down since redoing Guidance 34 or creating a new guidance (or training manual) involves several policy questions. It is not a high OGWDW priority at the moment, but that may change.*

UPDATE: Focus on this project has shifted toward creating a framework for consistent, predictable and robust considerations that EPA will use to evaluate aquifer exemption requests. Current work led by OGWDW at the national level, includes working closely with Ground Water Protection Council (GWPC) to gain state perspective in developing a workable 'statement of basis' framework for use by states and EPA. A decision to supplant Guidance 34 or create a supplement to that guidance or some other type of document has not yet been determined. Region 8 continues to actively participate in this workgroup; the next meeting is January 2014 in conjunction with the GWPC's Annual UIC Meeting.

Dan W Jackson

UIC Energy Coordinator

Region 8 EPA, Denver CO

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Regulating injection wells to protect underground sources of drinking water from contamination by injection.

<http://www2.epa.gov/region8/underground-injection-control>

From: Minter, Douglas

Sent: Tuesday, November 12, 2013 2:29 PM

To: Jackson, Dan; Shea, Valois; Boomgaard, Craig

Subject: FW: can I get an update on these commitments?

Please update each of these bullets for me please... Craig the first, Valois the second, and Dan the third.

Thanks,

Douglas

From: Hoskie, Sadie

Sent: Tuesday, November 12, 2013 2:25 PM

To: Minter, Douglas

Subject: can I get an update on these commitments?

●■■■■■■■■■ Complete review and approval of North Dakota's Class-VI Primacy. *We have been working with ND on a draft primacy package/application including conducting a crosswalk between the state and federal requirements and all supporting documents. The State plans to submit its final application to HQ in April or May 2013. The application will then need to be approved through formal rulemaking.*

●■■■■■■■■■ Issue DRAFT of Powertech Class-V injection permit for Dewey Burdock in

SD, end of FY 2013. We received three submittals (2 permits and 1 aquifer exemption) from Powertech, Inc., for its uranium ISR site in SD – UIC Class III and V permit applications and an aquifer exemption. All of the applications have been deemed complete and we are currently reviewing the applications and preparing draft permits and statements of basis. We are also preparing for tribal consultations since there is a great deal of interest from Tribes.

- Contribute towards release of DRAFT Aquifer Exemption Training Manual (HQ & regions), end of FY 2013. This measure is linked directly to the OGWDW effort to revise the Guidance 34 for aquifer exemptions, which turned into a "Training Manual." We are on the work group looking at the issues and potential revisions for how EPA deals with aquifer exemptions. Currently, things have slowed down since redoing Guidance 34 or creating a new guidance (or training manual) involves several policy questions. It is not a high OGWDW priority at the moment, but that may change.